

REMARKS

Applicants submit this Response to the final Office Action mailed April 3, 2006.

By this Response, Applicants request reconsideration of the outstanding claim rejections. Accordingly, claims 1-3, 5-18, and 20-27 remain pending in this application.

In the Office Action, claims 1-3, 5-18, and 20-27 were rejected under 35 U.S.C. 102(a) as being anticipated by U.S. Patent Application No. 2003/0104899 to Keller ("Keller"). Applicants respectfully traverse this rejection for the reasons provided below.

An anticipation rejection is proper only if each and every element as set forth in the claims is found in a single prior art reference. M.P.E.P. § 2131. Applicants respectfully assert that this rejection is improper because Keller does not disclose each and every element as set forth in the claims. For example, with respect to independent claim 1, Keller does not disclose, among other aspects, "an electric drive system, comprising: a first engine tuned to have a minimum specific fuel consumption value within a first range of rotations per minute" and "a second engine tuned to have a minimum specific fuel consumption value within a second range of rotations per minute, wherein the second range of rotations per minute is different than the first range."

Keller discloses a steerable vehicle comprising a plurality of auxiliary power units (APUs), an electric motor, and a power controller. Keller, Abstract. Keller further discloses that the APU controller is coupled to the engine and to the generator to monitor and control the engine and the generator. Keller, page 3, paragraph 31. Keller employs a feedback system to evaluate the overall health of the engine and generator and make appropriate adjustments to the manner in which power is provided to the electric motor. Keller, page 3 paragraph 32. According to Keller, "[e]ach APU is

associated with an efficiency profile" and the power controller monitors the status of the components of the vehicle to determine the power requirements of the vehicle, adding that "[b]y having APUs with different efficiency profiles, the power may be supplied by the APU that can best meet the power requirements . . . while operating in a region of relative efficiency, as determined by the efficiency profiles." Keller, Abstract, page 1, paragraph 10.

Keller also discloses determining efficiency profiles for each engine and generator pair based on parameters such as fuel consumption rate and emission rate of undesired exhaust gases. Keller, page 4, paragraph 37. Keller further adds that an engine's efficiency profile consists of "a chart or array of the power output level with the associated values of the measured parameters" and that "within each efficiency profile, one or more operational ranges may be identified, at which the engine and generator efficiently provide power based upon a local minimum of either the fuel consumption rate or the emissions rate of the undesirable exhaust gases." *Id.*

In other words, Keller discloses providing power to a vehicle using an APU that can most efficiently meet the power requirements as determined by the efficiency profiles. However, Keller does not disclose or suggest "a first engine tuned to have a minimum specific fuel consumption value within a first range of rotations per minute" and "a second engine tuned to have a minimum specific fuel consumption value within a second range of rotations per minute, wherein the second range of rotations per minute is different than the first range," as recited in independent claim 1.

Keller makes no mention of an engine tuned to have a minimum specific fuel consumption value within a range of rotations per minute. Although Keller suggests that

operational ranges may be identified within an efficiency profile at which the engine and generator together efficiently provide power, Keller does not disclose that these ranges correspond to rotations per minute of the engine. Instead, Keller addresses efficiency of the engine and generator pair and makes no reference whatsoever to the rotations per minute of the engine itself. Further, Keller does not disclose or suggest tuning an engine or that an engine has been tuned to specific performance characteristics such as minimal fuel consumption. For at least these reasons, Keller cannot anticipate claim 1. Reconsideration is requested.

Applicants submit that for reasons similar to those presented above, Keller does not disclose all of the elements of independent claim 10. For example, among other things, Keller fails to disclose or suggest “operating a first engine within a first range of rotations per minute, within which the first engine has been tuned to have a specific fuel consumption value” and “operating a second engine within a second range of rotations per minute, within which the second engine has been tuned to have a minimum specific fuel consumption value.” Accordingly, Applicants respectfully submit that Keller cannot anticipate independent claim 10 and its dependents and therefore request reconsideration.

Also for reasons similar to those offered above, Keller fails to disclose all the elements of independent claim 14. For example, among other aspects, Keller does not disclose “tuning the first engine to have a minimum specific fuel consumption value within a first range of engine speeds and engine torques” and “tuning the second engine to have a minimum specific fuel consumption value within a second range of engine speeds and engine torques,” as recited in claim 14. As noted, Keller does not even

mention tuning an engine, let alone tuning an engine to have a minimum specific fuel consumption value within a range of engine speeds and engine torques. Accordingly, Keller does not anticipate independent claim 14 and its dependents. Reconsideration is requested.

Applicants further submit that Keller does not disclose each and every aspect of independent claim 17. For example, among other aspects, Keller fails to disclose “a first internal combustion engine tuned to have a minimum specific fuel consumption value within a first range of rotations per minute” and “a second internal combustion engine tuned to have a minimum specific fuel consumption value within a second range of rotations per minute, wherein the second range of rotations per minute is different than the first range,” as recited in claim 17. Accordingly, Keller cannot anticipate claim 17 and its dependents. Reconsideration is requested.

In view of the foregoing remarks, Applicants submit that the claimed invention is not anticipated by the prior art reference cited against this application. Applicants therefore request withdrawal of the rejection and the timely allowance of all pending claims.

The Office Action contains characterizations of the claims and the related art with which Applicants do not necessarily agree. Unless expressly noted otherwise, Applicants decline to subscribe to any statement or characterization in the Office Action.

In discussing the specification, claims, and drawings in this Amendment, it is to be understood that Applicants are in no way intending to limit the scope of the claims to any exemplary embodiments described in the specification or abstract and/or shown in

the drawings. Rather, Applicants are entitled to have the claims interpreted broadly, to the maximum extent permitted by statute, regulation, and applicable case law.

Please grant any extensions of time required to enter this Amendment and charge any additional required fees to our Deposit Account No. 06-0916.

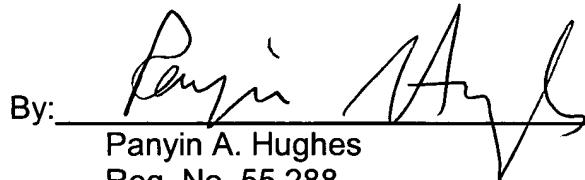
Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: July 3, 2006

By: _____

Panyin A. Hughes
Reg. No. 55,288

A handwritten signature in black ink, appearing to read "Panyin A. Hughes". It is written in a cursive style with a long horizontal line extending from the end of the signature to the right.